

1 AN ACT concerning public utilities.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Public Utilities Act is amended by adding
5 Section 16-107.5 as follows:

6 (220 ILCS 5/16-107.5 new)

7 Sec. 16-107.5. Net electricity metering.

8 (a) The Legislature finds and declares that a program to
9 provide net energy metering, as defined in this Section, for
10 eligible customers can encourage private investment in
11 renewable energy resources, stimulate economic growth,
12 enhance the continued diversification of Illinois' energy
13 resource mix, and protect the Illinois environment.

14 (b) As used in this Section, (i) "eligible customer"
15 means a retail customer that owns and operates a solar or
16 wind electrical generating facility with a capacity of not
17 more than 40 kilowatts that is located on the customer's
18 premises and is intended primarily to offset part or all of
19 the customer's own electrical requirements and (ii) "net
20 energy metering" means the measurement, during the billing
21 period applicable to an eligible customer, of the net amount
22 of electricity delivered by an electric utility to the
23 customer's premises or provided to the electric utility by
24 the customer.

25 (c) An electric utility shall provide for, and bear the
26 costs of, meters, meter fittings and associated wiring in
27 excess of standard metering, and any other equipment on the
28 utility side of the meter required by the utility in order to
29 effect net energy metering.

30 (d) An electric utility and an alternative retail
31 electric supplier shall measure and charge or credit for the

1 net electricity supplied to eligible customers or provided by
2 eligible customers in the following manner:

3 (1) If the amount of electricity used by the
4 customer during the billing period exceeds the amount of
5 electricity produced by the customer, the electric
6 utility or alternative retail electric supplier shall
7 charge the customer for the net electricity supplied to
8 and used by the customer at the same rates applicable to
9 electricity provided by the electric utility or
10 alternative retail electric supplier to other residential
11 customers and small commercial retail customers of
12 similar end-use consumption characteristics.

13 (2) If the amount of electricity produced by a
14 customer during the billing period exceeds the amount of
15 electricity used by the customer during that billing
16 period, the electric utility or alternative electric
17 supplier supplying that customer shall apply a credit to
18 the next bill for service to the customer for the net
19 electricity supplied to the utility at the same rate,
20 including delivery charges, applicable to electricity
21 provided to other residential customers and small
22 commercial retail customers of similar end-use
23 consumption characteristics. The number of kilowatt-hours
24 credited to the customer on the bill in any given billing
25 period shall not exceed the amount of kilowatt-hours
26 delivered to the customer by the utility in that billing
27 period. The balance of kilowatt-hours uncredited shall be
28 carried forward and applied to kilowatt-hours delivered
29 to the customer by the utility in future billing periods.

30 (3) At the end of the year or annualized over the
31 period that service is supplied by means of net energy
32 metering, the electric utility or alternative retail
33 electric supplier supplying a customer shall promptly
34 issue payment at its avoided cost to the customer for the

1 value of the balance of any remaining uncredited
2 kilowatt-hours provided by the customer during the year
3 or annualized period.

4 (e) An electric utility may use separate meters to
5 measure the gross amount of electricity delivered by the
6 utility to the customer and the electricity supplied to the
7 utility by the customer and may bill customers for taxes,
8 franchise charges, or infrastructure maintenance fees,
9 instrument funding charges, and decommissioning charges
10 applicable to the gross amount of electricity delivered to
11 the customer, if the electric utility does not charge the
12 customer for the installation or use of the separate meters
13 in excess of standard metering.

14 (f) An electric utility may, instead of using separate
15 meters, use a single meter to measure the net amount of
16 electricity delivered to or from a customer during the
17 billing period.

18 (g) Within 3 months after the effective date of this
19 amendatory Act of the 92nd General Assembly, the Illinois
20 Commerce Commission shall establish standards for net energy
21 metering and the interconnection of solar and wind electric
22 generating equipment to the utility system if the Commission
23 determines that such standards are necessary for safe and
24 adequate service and further the public policy set forth in
25 this Section. The standards shall conform to the "Recommended
26 Practice for Utility Interface, of Photo-voltaic Systems" set
27 forth by the IEEE (Institute of Electrical and Electronic
28 Engineers). If a utility desires equipment or standards in
29 excess of these standards, the utility shall bear the costs
30 of those additional standards.

31 (h) Before February 1, 2002, the Illinois Commerce
32 Commission shall determine how alternative retail electric
33 suppliers will be required to credit delivery service
34 charges.

1 (i) All electric utilities shall begin to offer net
2 energy metering no later than April 1, 2002.

3 (j) All alternative retail electric suppliers shall
4 begin to offer net energy metering no later than April 1,
5 2002.

6 (k) An electric utility and an alternative retail
7 electric supplier must offer net energy metering to eligible
8 customers until the load of its net energy metering customers
9 equals 0.1% of the total peak demand supplied by that
10 electric utility or alternative retail electric supplier
11 during the previous year. Electric utilities and alternative
12 retail electric suppliers are authorized to offer net energy
13 metering beyond the 0.1% level if they so choose.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.